19TH AMENDMENT TO US CONSTITUTION

Name

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**Introduction**

The 19th amendment prohibited both the state and federal government from restricting American citizens voting rights on the basis of sex. The amendment was put into law in, 1920[[1]](#footnote-1). Women’s suffrage movement in the country led to the amendment and also advocated for both states and federal levels to attain the vote. The 19th constitutional changes were a modification to the 14th amendment which did not guarantee women right to participate in voting. The 19th amendment stated that the right to vote for United States citizens should not be abridged or deprived by the country or any other state on the basis of sex. The nineteenth change to the American constitution was drafted by Cady Stanton and Anthony in 1878 and later ratified 1920[[2]](#footnote-2).

The first constitution in America was acquired in 1789. However, the constitution left the boundaries of women rights undefined and did not also intensively address issues related to voting. The constitution did not give the right to vote for female American citizens. The House of Representatives was the only elected institution formed by the first constitution. The right to vote members to the House of Representatives was only allowed to citizens living in the specific state. However, women were not allowed to vote with the exception of New Jersey which was the first state to advocate for women suffrage though the initiative was later revoked in 1807.

**Resolution proposing amendment to the constitution**

Proposed amendment to the constitution began in 1848 through Mott Lucretia and Stanton Elizabeth Cady. The women participated in organizing the first suffrage rights seminars in Seneca Falls, New York. Many of those who attended included abolitionists who had the objective of attaining universal suffrage in the United States. However, the objective took too long for it to be attained but was partially achieved in late 1870 when the 15th constitutional changes and amendment was ratified and granted black men voting rights. After passing of the 15th constitutional amendment, another petition on the right to vote was forwarded to parliament pleading for extension of suffrage rights to women. In addition, the petition proposed the right of women to be heard on the floor of the congress. During a convention, Lucretia was quoted in her speech asking when female citizens would be given the rights to vote. After the presentation of the petition, Anthony Susan B. and Stanton Elizabeth started the National Woman Suffrage Association (NWSA) in 1869. However, there were ideological differences among the leaders of the suffrage movement where Anthony and Stanton accused other members of the association of advocating for black civil rights at the expense of women rights. The differences led to formulation of the American Woman Suffrage Association (AWSA) that was headed by Howe Julia Ward together with Lucy Stone. Later in 1890, the two associations united and formed National American Woman Suffrage Association (NAWSA) and was headed by Stanton and deputized by Anthony. After long struggle of advocating for women rights, one year before the 19th amendment was passed, the association restructured into League of Women Voters.

The beginning of the country’s women’s rights activism occurred in early 1848 after a convention held in New York referred to as Seneca Falls. Though there were other organizations and movements involved in fight for women rights in the United States, The Seneca Falls convention is described as the first to advocate for women rights. Several suffrage bills were introduced in many state legislators but were always disregarded. During the period referred to as Reconstruction era from 1865 to 1877, many rights activists fought for involvement of overall suffrage as a civil right[[3]](#footnote-3). The attempts were discussed during the reconstruction period in the thirteenth, fourteenth and fifteenth amendments. However, the three amendments did not bring a reprieve to women’s suffrage which was done during the 19th amendment. The fourteenth amendment discriminated people based on gender by punishing any state that deprived any male citizen from voting. However, no state was punished for depriving women the right to vote.

Later on, there was a lot of lobbying and petitioning for women to be allowed the right to vote. Several legislators started considering suffrage bills and even held voter referenda. Before the adoption of the 19th amendment, there were many failed attempts to amend the constitution to provide limited and universal suffrage to women. The Universal Suffrage petition was signed by Susan B. Anthony and Elizabeth Cady and was one of the attempts that proposed for constitutional changes to refrain various states from disenfranchising American people on the basis of sex. In addition, The House of Representatives also proposed a bill that called for limited suffrage to certain women such as, widows, spinsters and those who owned property. National Woman Suffrage Association (NWSA) and The American Woman Suffrage Association (AWSA) were created in 1869 to fight for women’s voting rights. NWSA headed by Anthony and Elizabeth Cady advocated for women suffrage through many court challenges in 1870s through a legal case known as the New Departure[[4]](#footnote-4). The groups vehemently fought for equal voting rights for women as those of men leading to the formulation and adoption of the 19th amendment changes to the country’s constitution in 1920.

The 9th amendment proposal had earlier been introduced by Senator Aaron in 1878. The bill was later submitted to parliament 41 years later in 1919 for ratification. The amendment was later ratified in 1920 by 75 percent of all states. Ratification by Tennessee was the last one needed in order to incorporate the amendment changes to the constitution. In the case of Leser v. Garnett of 1922[[5]](#footnote-5), claims that the amendment was unconstitutionally adopted were disregarded by the Supreme Court. The fifteenth and nineteenth amendments were similar with the only difference being that the 15th guaranteed citizens voting rights despite color or previous servitude conditions while the 19th focused on discrimination based on sex. Senator Aaron further tried to insert provisions about women equal rights in many different bills but had not proposed a constitutional change until in January, 1878. After introduction of the women suffrage amendment in 1878 by Senator Aaron, a 30 years period referred to as the doldrums followed during which women achieved few victories and the changes were not considered by Congress.

During the doldrums, women rights activists advocated for voting rights in individual states while aiming at the federal recognition as the ultimate goal. From 1910 to 1911, there was surprise success of women equal voting rights in California and Washington. In addition, during the period, many western states had passed the legislation through voter referenda that enacted either full or partial suffrage for women. The success of the partial suffrage was as a result of the 1912 elections which led to the rise of socialists and progressive parties. In addition, the election of Woodrow Wilson from the Democratic Party brought partial success to women suffrage. Two years after the 1912 elections, senate made a consideration to the constitutional amendment which was again rejected.

In 1917, Carrie Chapman led a campaign in New York that aimed at achieving state-level suffrage. When the United States made a decision to join World War 1, Carrie Chapman supported the country’s move despite resistance from other women activists in NAWSA. The move to support the United States in World War 1 made women to turn into highly visible symbols of unity and nationalism. In 1917, The National Women’s Party (NWP) headed by Alice Paul and Lucy Burns made controversial demonstrations in Washington, DC protesting that the country should stop focusing on World War 1 and instead address the issues of women suffrage in the country. However, Carrie Chapman continued in her support for the war which made the then president Wilson to reward her for her efforts towards women suffrage in USA. Other women involved in the fight for suffrage include; Abby Kelly, Alice Stone Blackwell, Betty Friedan, Dorothy Thompson, Emma Goldman and Grace Juliana Clarke.

In 1918, another amendment proposal was forwarded to the House of Representatives where President Wilson appealed to members of congress to pass it[[6]](#footnote-6). The changes to the constitution were passed by the required 75 percent majority and later moved to Senate. The amendment failed by two votes in Senate and was therefore reintroduced again in on February 10, 1919. The amendment again failed by one vote. The country’s leadership had a general desire to have the amendments approved before the general elections in 1920 which made the president to call for a special sitting of the Congress for the proposals to be reintroduced again in the house. On 21st May, 1919, the amendment was passed. The amendment was later taken to Senate on June 4, 1919 where it was passed with 56 votes against 25 nays. Michigan, Illinois and Wisconsin were among the first states to ratify the amendments while their legislatures were in session. The other states followed at a fast rate until the ratification was approved by 35 out of the 36 state legislatures.

Majority of those who opposed the amendment were from Southern Democrats which as a result, Tennessee was the last to make the ratifications on August 18, 1920. Later on, Oscar Lesser sued two women in Maryland for voting since he believed that Maryland constitution did not allow suffrage to women. In addition, Oscar argued that the amendment was expensive for the State of Maryland because it increased its electorate without consent. The case was later rejected by the Supreme Court and the two voters were encouraged to cast their vote in Baltimore, Maryland. The court ruled that the 19th amendment had expanded electorates in the states due to gender inclusivity.

**Petition for women suffrage**

The petition was signed by Fredrick Douglas Junior who was a leader of the abolition movement and a former slave. He supported the struggle by white women in their fight to attain suffrage. He made his contributions by publishing an editorial article in the North Star after attending the Seneca Falls Convention in 1848[[7]](#footnote-7). He argued that there was no reason for denying women the elective franchise. In 1877, he was the United States marshal for the District of Columbia where again he supported and signed the petition for women suffrage to the Congress which proposed the prohibition of disfranchising American citizens on the basis of gender. Several black American women joined the suffrage movement. Examples of black American women in the movement included, Terrell Mary Church who was the founder of the National Association of colored women (NACW) and an educator, Ida B. Wells Barnet from Chicago who was against lynching and Adella Hunt Logan. By the year 1916, majority of the suffrage organizations had merged and began working together towards the objective attaining voting rights for women. The drive to bring the constitutional amendment was boosted by the support of President’s Woodrow Wilson in 1918. The constitutional amendment enjoyed political goodwill and people started to shift towards support of women’s constitutional voting rights. In addition, the involvement of women in supporting the country during World War 1 made it easier for political leaders to support the amendment.

**Susan B. Anthony Petition**

Susan B. Anthony used all means, strategies and tactics to fight for voting rights for women in USA. She registered and voted in Rochester, New York during the 1872 elections. She was later on arrested for willingly committing a crime of electing a representative in the House of Representatives. The State of New York convicted and fined her one hundred dollars which she declined to pay. She made a petition to the United States Congress requesting that the basis of fining her was unjust[[8]](#footnote-8). People who were against the amendments believed that women should not be involved in the political process but should instead participate in moral suasion of the community. In addition, several activists were from the Garrisonian divide of the abolitionist movement and their traditions prevented them from engaging in secular political activities. However, Susan B. Anthony takes an active role in altering such attitudes.

**Petition by Civil War Army nurses**

The association composed of army nurses met on various conventions where they unanimously decided to write a letter to Country’s House judiciary committee. Mary O. Stevens was the secretary to the association where she made a formal application to the chairman of the judiciary committee to allow women the right to vote.

**National conventions**

Many conventions were held in various states in order to make the struggle for women voting rights successful. The first convention by women rights activists was held in Worcester, Massachusetts. The convention was organized by Paulina Wright and Lucy Stone. However, holding conventions was later disrupted when civil war began in 1860. Wendell Phillips who was a prominent abolitionist supported the fight for 19th amendment by delivering a speech during the second national convention in 1851 that advocated about when women would be allowed to vote in the United States. During the 1853 convention, Lucy Stone advocated for women’s rights before lawmakers in Massachusetts. In addition, Lucy Stone refused to pay taxes arguing that women would not continue paying taxes yet they were not allowed to vote on tax laws. However, the state sold her items including household goods in order to raise enough money to pay her tax bills. Women’s Loyal National League was later formed which led to suspension of fight for women rights so that people could concentrate on the abolition of slavery. Stanton was able to collect over 400, 000 signatures that would lead to a petition to abolish slavery in The United States. The national conventions and women’s rights activists preferred the use of petitions as a tool to present grievances. The Women Loyal National league composed 5, 000 members and fought tirelessly for suffrage and activism. After the fight on abolition of slavery that lasted from 1861 to 1865, the national conventions again continued with the fight for equal voting rights for women as those of men.

**American equal rights Association**

After the end of civil war in 1865, the Eleventh National Women’s right convention was held which aimed at assisting women’s right movement to regain momentum after the war. The movement fought for equal rights to all American citizens despite their gender. The New association was led by Fredrick Douglas, Lucretia Mott and Lucy Stone. In 1867, American Equal Rights Association (AERA) started a campaign in Kansas in the support of referenda that would give equal rights to both women and African Americans. However, Wendell Phillips who was an abolitionist leader did not prefer the mixing of both activities and therefore, blocked the funds that were to be used in the campaign.

The disagreements led to Kansas Republicans choosing to support the fight for suffrage of black men. In addition, the differences observed led to formation of Anti-female suffrage committee that opposed the objectives of American Equal Rights Association which led to exhausting of the campaign funds and further collapsing. After collapsing of the Kansas campaign, AERA divided into two groups that aimed at advocating for universal suffrage for both women and black men. The divide that was led by Lucy Stone advocated for equal rights of black men while the other wing led by Stanton and Anthony continued with the struggle of both black men and women being enfranchised at the same time. Both Anthony and Stanton were aimed towards achieving a movement that was independent and that would not depend on financial resources from abolitionists.

**Effects of 19th amendment to the US constitution**

Many male politicians feared that there would be a rise of a powerful regime of women in United States politics. Most had seen the vibrant leadership of Susan B. Anthon, Alice Paul and Elizabeth Cady Stanton in their struggle for Women suffrage and feared that they would take up their positions. The passing of the amendment led to Sheppard-Towner Act that promoted the welfare, hygiene and federal funding for maternity and child care. In addition, passage of both 19th amendment and Sheppard-Towner Act led to economic and political empowerment of women in The United States of America. However, the amendment did not lead to immediate emergence of a women’s bloc until the year 1950. Moreover, women did not turn out to vote in the first general elections that happened after amending the 19th amendment. According to political scientist J. Kevin Corder, only 36% of the eligible women turned out to vote in the 1920 elections compared to 68% of men[[9]](#footnote-9). Apart from fear to exercise the right to vote, women experienced other hindrances that led to a low turnout such as, poll taxes, long residency requirements and literacy tests. Women did not also have experience in voting and had persistent beliefs that only men were permitted to vote which further led to low turnout in elections.

The amendment also led to more women later contesting for political leadership in both The House of Representatives and the Senate. In addition, the 19th amendment to the United States constitution led to feminist jurisprudence which outlines about the economic, political and social equality of sexes. Though feminist jurisprudence did not take course immediately, The United States experienced equality in many sectors in later years. In addition, Men began to view women as equals thereby leading to decrease in domestic and sexual violence, discrimination based on gender, unequal pay and inequality in the workplace. The feminist jurisprudence brought about by the 19th amendment to the constitution led to formulation of other laws that pertain to reproductive rights, sexual harassment, rape, divorce, employment and domestic violence.

**Conclusion**

The culmination of the struggle resulted in certification of the amendment by the secretary of state Bainbridge Colby extending voting rights to women and ratification to the constitution[[10]](#footnote-10). The proposal was later named Susan B. Anthony amendment and was introduced by woman suffrage committee chairperson James R. Mann from Illinois. After ratification, the word war 1 gained momentum with immense contribution from women. According to James R. Mann, the people were ready, time was ripe and beneficiaries of the bill were anxious and willing to perform the duties of citizens. However, Benjamin Focht a representative from Pennsylvania opposed the amendment and is quoted to have said that no man from Ohio or New York would favor those changes from his heart. The amendment was passed by the whole house with a great margin of 304 to 89 and was followed by ratification. Women were then entitled to participate in the 67th congress elections that occurred in November, 1920. The congress term began in 1921 and came to an end in 1923.

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1. Bellush, " Books in Review Political Parties and Politics,"P. 484 [↑](#footnote-ref-1)
2. " Constitutional Law. Ratification by State Legislature of Amendment to United States Constitution. Referendum," P. 234 [↑](#footnote-ref-2)
3. Bellush, " Books in Review Political Parties and Politics,". P. 482 [↑](#footnote-ref-3)
4. “Constitutional Law. Ratification by State Legislature of Amendment to United States Constitution. Referendum,” P. 502 [↑](#footnote-ref-4)
5. " VII. LEGISLATIVE PROCEDURE," A Brief History of the Constitution and Government of Massachusetts with a Chapter on Legislative Procedure (n.d.),” P. 14 [↑](#footnote-ref-5)
6. Bellush, " Books in Review Political Parties and Politics,” P.483 [↑](#footnote-ref-6)
7. Galbraith, " Legislative intent and depository library selection practices," P.160 [↑](#footnote-ref-7)
8. Newton, " American Urban Politics," P.245 [↑](#footnote-ref-8)
9. Marbury, " The Nineteenth Amendment and after," P.23. [↑](#footnote-ref-9)
10. Galbraith, " Legislative intent and depository library selection practices," P. 157 [↑](#footnote-ref-10)